

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff

v.

JAMES DALE BRADFORD (1),

Defendant

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Case No. 1:22-CR-76-RP-1

ORDER

Now before the Court is Defendant James Dale Bradford's Motion to Withdraw, filed October 18, 2022 (Dkt. 62). The District Court referred the Motion to the undersigned Magistrate Judge for resolution, pursuant to 18 U.S.C. § 3006A(b), 28 U.S.C. § 636(b)(1)(A), and Rule 44 of the Federal Rules of Criminal Procedure. Dkt. 63. On October 26, 2022, the Court held a hearing on the Motion, at which Defendant and defense counsel Viktor Olavson were present.

Final judgment was entered in this case on October 13, 2022, and Defendant has filed a notice of appeal to the United States Court of Appeals for the Fifth Circuit. Dkts. 57, 61. Mr. Olavson now asks that he be permitted to withdraw, and Defendant asks that new appellate counsel be appointed. The Government does not oppose the Motion.

Having considered the Motion, the undersigned finds that there is good cause to grant the Motion and permit counsel to withdraw, and that Defendant has received notice. **IT IS THEREFORE ORDERED** that Viktor Olavson is hereby **WITHDRAWN** as Defendant's counsel of record.

Defendant is detained and has been sentenced to a term of imprisonment. Consistent with the Order Regarding Financial Status (Dkt. 8) and current financial information provided by Defendant on October 26, 2022, the Court finds that Defendant is financially unable to employ

appellate counsel, and that the interests of justice require that counsel be appointed to represent him on appeal.

Accordingly, **IT IS FURTHER ORDERED** that **David B. Frank #00785880** is hereby **APPOINTED** to represent Defendant on appeal.

SIGNED on October 26, 2022.



SUSAN HIGHTOWER
UNITED STATES MAGISTRATE JUDGE